



TRANSMISSION RIGHTS OF WAY GUIDELINES/RESTRICTIONS

This list of rights of way restrictions has been developed to answer the most often asked questions about property owner use of transmission rights of way. This list does not cover all restrictions or all possible situations. You should contact the Asset Protection Right-of-Way Specialist if you have additional concerns about the rights of way. This list of restrictions is subject to changes at any time and without notice. Duke Energy shall not relinquish any of its rights conveyed by the right of way agreement. All activity within the rights of way shall be reviewed by an Asset Protection Right-of-Way Specialist. It is strongly suggested that you contact Duke Energy and submit plans for approval prior to construction of any improvements within the rights of way.

1. Structures, buildings, manufactured homes, mobile homes and trailers, satellite signal receiver systems, swimming pools (and any associated equipment and decking), graves, billboards, dumpsters, signs, wells, septic systems or storage tanks and systems (whether above or below ground), refuse of any type, flammable material, building material, wrecked or disabled vehicles and all other objects (whether above or below ground) which may, in Duke Energy's opinion, interfere, in any way, are not allowed within the rights of way limits. Transformers, telephone/cable pedestals (and associated equipment), and fire hydrants are not allowed.
2. Fences shall not be attached to poles or towers. Fences shall not exceed 10 feet in height and shall be installed greater than 25 feet from poles, towers, and guy anchors. Fences shall not parallel the centerline within the rights of way but may cross from one side to the other at any angle not less than 30 degrees with the centerline. If a fence crosses the rights of way, a 16 foot gate shall be installed by the property owner per Duke Energy's specifications to allow free access required by Duke Energy equipment.
3. Contact Duke Energy and obtain written approval before grading or filling on the rights of way. Grading (cuts or fill) shall be at least 25 feet from a pole or tower leg, and slope shall not exceed 4:1 on the rights of way. Grading or filling within the rights of way or near a structure, which will prevent free equipment/vehicle access, will not be permitted. Sedimentation control, including re-vegetation, is required per state regulations.
4. Streets, roads, driveways, sewer lines, water lines, and other utility lines, or any underground facilities shall not parallel the center line within the rights of way, but may cross, from one side to the other, at any angle not less than 30 degrees with the center line. No portion of such facility shall be located within 25 feet of Duke Energy's supporting facilities. Intersections of roads, driveways, or alleyways are not permitted.
5. Any drainage feature that allows water to pond, causes erosion, directs storm water toward the rights of way, or limits access to or around a structure is prohibited.
6. Contact Duke Energy prior to the construction of lakes, ponds, or detention facilities, etc. within the rights of way limits.
7. Duke Energy does not object to parking within the rights of way, provided that:
 - a. A barrier, sufficient to withstand a 15 MPH vehicular impact, shall be erected by the party constructing the parking area to protect the pole, tower or guy anchor. The barrier shall be located in such a manner as to restrict parking to at least 5 feet from the structure.
 - b. Any access areas, entrances, or exits shall cross (from one side to the other) the rights of way at or near right angles to the centerline, and shall not pass within 25 feet of any structure.
 - c. Lighting structures within the rights of way limits need to be approved by Duke Energy before installing.
 - d. Signs and other attachments to Duke Energy structures are prohibited.
8. Duke Energy will not object to certain vegetation plantings as long as:
 - a. It does not interfere with the access of existing structures or the safe and reliable operation and maintenance of the line.
 - b. Outside the wire zone: With prior written approval, Duke Energy does not object to plants, shrubs and trees that are of a species that will not exceed fifteen (15) feet in height at maturity.
 - c. Inside the wire zone: Duke Energy objects to plants, shrubs and trees within the wire zone. Consideration may be given for situations that Duke considers appropriate. Written approval is required.
 - d. Duke Energy may exercise the right to cut danger trees outside the rights of way limits as granted by the right of way agreement and as required to properly maintain and operate the transmission line.

We hope this is useful information. If additional questions arise, or if you plan anything not covered above, please contact:

Duke Energy Representative GARY S. MCNAMEE

Telephone number 812-375-2021, 812-447-2351